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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR        | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-----------------------------|---------------------|------------------|
| 10/769,815   | 02/03/2004  | Byung Hyun An               | 3449-0302P          | 9530             |
| 2292 7590 04/02/2009<br>BIRCH STEWART KOLASCH & BIRCH<br>PO BOX 747<br>FALLS CHURCH, VA 22040-0747 |             |                             |                     |                  |
| EXAMINER<br>PIZZALI, JEFFREY J   |             |                             |                     |                  |
| ART UNIT<br>2629   |             | PAPER NUMBER                |                     |                  |
| NOTIFICATION DATE<br>04/02/2009  |             | DELIVERY MODE<br>ELECTRONIC |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10769815                        | 2/3/04      | AN, BYUNG HYUN                                    | 3449-0302P          |

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## EXAMINER

Jeff Piziali

| ART UNIT | PAPER    |
|----------|----------|
| 2629     | 20090316 |

DATE MAILED:

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## Commissioner for Patents

The reply filed on 12 January 2009 is not fully responsive to the prior Office action (mailed on 12 December 2008) because of the following omission(s) or matter(s):

The Election (filed on 12 January 2009) states, "For the purpose of examination of the present application, Applicant elects with traverse, Sub-Sub-Species a. Applicant submits that claims 1, 3-17, 26 and 27 read on the elected Sub-Sub-Species."

However, the Restriction Requirement (mailed on 12 December 2008) restricted the instant application to Species (I or II), Sub-Species (A or B), Sub-Sub-Species (1, 2, or 3), and Sub-Sub-Species (a or b).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species (e.g., "Species I-B-2-a") to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species, including any claims subsequently added.

Although the Applicant has kindly elected "Sub-Sub-Species a," the Applicant has not yet identified which Species (I or II), Sub-Species (A or B), and Sub-Sub-Species (1, 2, or 3) are being elected.

See 37 CFR 1.111. Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Jeff Piziali/  
Primary Examiner, Art Unit 2629  
16 March 2009